

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 13, 2010

- C058463 THE PEOPLE v. (Not For Publication)**
MAURICE O'NEIL
The judgment is affirmed.
BUTZ, J.
We Concur: Hull, Acting P.J.
Robie, J.
- C063612 In re A.H.; SACRAMENTO COUNTY (Not For Publication)**
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. C.M.
The juvenile court's orders are affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Robie, J.
- C061019 WORLDMARK, THE CLUB v. WYNDHAM RESORT DEVELOPMENT**
CORPORATION; MILLER; WIXON et al.
BY THE COURT:
Wyndham Resort Development Corporation's petition for rehearing is
denied.
BLEASE, Acting P.J.
- C061019 WORLDMARK, THE CLUB v. WYNDHAM RESORT DEVELOPMENT**
CORPORATION; MILLER; WIXON et al.
BY THE COURT:
Worldmark, The Club's petition for rehearing is denied.
BLEASE, Acting P.J.

September 14, 2010

- C060778 THE PEOPLE v. (Not For Publication)**
CARLOS JOHNSON
The judgment of conviction on count 3 is affirmed. The sentence is
vacated and the matter is remanded for resentencing as well as
modification/correction of the abstract of judgment in accordance with this
opinion.
NICHOLSON, J.
We Concur: Sims, Acting P.J.
Raye, J.

Court Minutes

C063969 **THE PEOPLE v.** **(Not For Publication)**
DANIEL PAUL MOERTENSEN
The judgment is affirmed.
NICHOLSON, Acting P.J.
We Concur: Butz, J.
Mauro, J.

C059767 THE PEOPLE v. JUNE ANN LUCENA
Cause called. Barbara Coffman, court appointed counsel, argued for appellant. Wanda Hill Rouzan, Deputy Attorney General, argued for respondent. Cause submitted.

C064415 **THE PEOPLE v. JUNE ANN LUCENA**
Cause called. Barbara Coffman, court appointed counsel, argued for appellant. Wanda Hill Rouzan, Deputy Attorney General, argued for respondent. Cause submitted.

C064181 **GEICO GENERAL INSURANCE COMPANY et al. v. THE SUPERIOR COURT OF CALAVERAS COUNTY; NORDSTROM et al.**
Cause called. Andrea M. Christensen argued for petitioner. Kenneth M. Foley argued and Cyril R. Ash appeared only for real party in interest. Cause submitted.

At 10:56 a.m., the court recessed until 9:30 a.m., Monday, September 20, 2010.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 15, 2010, Continued

- C061193 THE PEOPLE v. (Not For Publication)**
KENNETH ROBOLOORD MARSHALL
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Butz, J.
- C063356 THE PEOPLE v. (Not For Publication)**
TON TA SAECHAO
The judgment is modified... As modified, the judgment is affirmed.
SIMS, J.
We Concur: Scotland, P.J.
Raye, J.
- C063819 THE PEOPLE v. (Not For Publication)**
JOHN PAUL CAPOZZIELLO
The matter is remanded to the trial court so that it may clarify its intention regarding victim restitution, consistent with this opinion. ...
ROBIE, J.
We Concur: Raye, Acting P.J.
Butz, J.
- C062062 VALADEZ, JR. v. COUNTY OF (Not For Publication)**
SIERRA et al.
The judgment is affirmed.
HULL, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C063116 STRONG, as Assessor, etc. v. (Certified For Publication)**
**SUTTER COUNTY BOARD OF
SUPERVISORS**
The "ORDER AND JUDGMENT" filed September 15, 2009, is reversed, and the case is remanded to the trial court with directions to enter a new and different order consistent with this opinion. The board shall recover its costs on appeal. (Cal. Rules of Court, rule 8.276 (a)(1).)
ROBIE, J.
I concur: Scotland, P.J.
I respectfully dissent:
In Government Code section 31000.6, the Legislature has provided an efficient and economical procedure for having counsel appointed for an assessor who has a conflict of interest with a board of supervisors. ...
Sims, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 15, 2010, Continued

C063155 In re the Marriage of NICOLE and JUVENAL (Not For Publication)
ALVAREZ; ALVAREZ v. ALVAREZ, JR.

The judgment (order) is affirmed. Respondent is awarded costs on appeal. (Cal. Rules of Court, rule 8.278 (a)(1).)

ROBIE, J.

We Concur: Nicholson, Acting P.J.
 Cantil-Sakauye, J.

September 16, 2010

C064641 THE PEOPLE v. (Not For Publication)
FRANK L. RUSSEL

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
 Hull, J.

September 17, 2010

C061047 THE PEOPLE v. CARLOS MENDOZA (Not For Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Scotland, P.J.
 Hull, J.

C063200 THE PEOPLE v. (Not For Publication)
HOSIE JABAR HOUSTON

The judgment is affirmed.

ROBIE, J.

We Concur: Scotland, P.J.
 Hull, J.

C061176 FORD CONSRUCTION COMPANY, (Not For Publication)
INC. v. WORKERS' COMPENSATION
APPEALS BOARD and NEWELL

The decision of the WCAB is annulled, and the matter is remanded for further proceedings consistent with the views expressed in this opinion. The parties shall bear their own costs on review.

RAYE, J.

We Concur: Scotland, P.J.
 Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

Court Minutes

September 17, 2010, Continued

C064922 In re CARLOS R.-J.; SAN JOAQUIN (Not For Publication)
COUNTY HUMAN SERVICES AGENCY v. A.J.

The order is affirmed.

NICHOLSON, Acting P.J.

We Concur: Butz, J.

Mauro, J.

C064042 THE PEOPLE v. DANIEL WINROW (Not For Publication)
THE COURT:

It is ordered that the opinion filed herein on September 7, 2010, be modified... This modification effects a change in the appellate judgment only insofar as the trial court denied appellant's request for additional conduct credit to which he is entitled.

With the above modification, the petition for rehearing is denied.

BY THE COURT:

HULL, Acting P.J.

Butz, J.

Cantil-Sakauye, J.

C059843 MILLER v. LIFESTYLES SENIOR HOUSING MANAGERS et al.
BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

C060906 RUCKER, JR. v. WELLS
BY THE COURT:

Appellant's petition for rehearing is denied.

BLEASE, Acting P.J.

C061972 BROWN et al. v. SHASTA UNION HIGH SCHOOL DISTRICT et al.
BY THE COURT:

Appellants' petition for rehearing is denied.

BLEASE, Acting P.J.